

## **REMARKS / ARGUMENTS**

### **A. General**

The Applicant would like to take this opportunity to thank Examiner Sefcheck for taking the time to conduct an Examiner Interview on December 7, 2004. The present Response has been prepared in light of the suggestions made by Examiner Sefcheck during the Examiner Interview, in the interest of putting the application in condition for allowance.

The Applicant would greatly appreciate it if, as indicated by Examiner Sefcheck during the Interview, the Applicant's representatives could be contacted by telephone should the Examiner determine that the claims of the application are not in full condition for allowance after entering the present Response.

### **B. Summary of the Amendments**

Claims 1, 10 and 16 have been amended in order to clarify the subject matter being claimed. Support for the amendments made to claims 1, 10 and 16 can be found at page 8, line 39, to page 9, line 21.

Claim 7 has been amended to correct the claim dependency.

Claims 8 and 9 have been cancelled from the application.

The Applicant respectfully submits that no new matter has been added to the application by the present amendments.

### C. Statements of Rejection and Reply

#### 35 U.S.C. §102

In the Office Action, the Examiner has reiterated his rejection of claim 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,563,891 (hereinafter referred to as Wang).

In response, the Applicant has cancelled claim 9 from the application, such that this rejection is now moot.

#### 35 U.S.C. §103

In the Office Action, the Examiner has rejected claims 1-8 and 10-16 under 35 U.S.C. §103(a) as being unpatentable over Wang in view of U.S. Patent 5,111,485 (hereinafter referred to as Serack).

The Applicant respectfully submits that the subject matter claimed in claims 1-7 and 10-16, as amended, distinguishes patentably over the cited prior art references, as discussed below.

The Examiner's attention is directed towards the following limitations of claims 1 and 16, as amended [emphasis added]:

#### Claim 1

A synchronizer for mapping an electrical digital signal of arbitrary transmission rate for transport over a network characterized by a range of allowable transmission rates, said synchronizer comprising:

[...]

- c) a clock generator unit coupled to said data recovery unit, **said clock generator including** a first input for receiving the first data clock signal and a **second input for receiving a control signal**, said clock generator unit being operative to **multiply a frequency of the first data clock signal by a value indicated by the control signal for generating a second data clock signal**, whereby the second data clock signal is indicative of a line transmission rate that falls within the range of allowable transmission rates for the network;

[...]

Claim 16

A synchronizer for mapping an electrical digital signal of arbitrary transmission rate for transport over a network characterized by a range of allowable transmission rates, said synchronizer comprising:

[...]

- c) clock generator means coupled to said data recovery means, **said clock generator means including** first input means for receiving the first data clock signal and **second input means for receiving a control signal**, said clock generator means being operative to **multiply a frequency of the first data clock signal by a value indicated by the control signal for generating a second data clock signal, whereby the second data clock signal is indicative of a line transmission rate that falls within the range of allowable transmission rates for the network;**

[...]

The Applicant respectfully submits that Wang and Serack, whether taken alone or in combination, do not disclose, teach nor suggest the invention claimed in claims 1 and 16. More specifically, neither Wang nor Serack teaches a synchronizer having a clock generator including a second input for receiving a control signal, where the clock generator is operative to "multiply a frequency of the first data clock signal by a value indicated by the control signal for generating a second data clock signal, whereby the second data clock signal is indicative of a line transmission rate that falls within the range of allowable transmission rates for the network".

At page 4 of the Final Office Action, the Examiner states that "Wang does not explicitly show applying a frequency multiplication to the first clock signal to generate the second clock signal". However, the Examiner has found that, at col. 6-7, lines 58-10, and in Fig. 2 "Serack discloses generating a second clock signal by applying a frequency multiplication of a controlled ratio to the first clock signal".

The Applicant respectfully disagrees with the Examiner's assessment of Serack. Rather, at col. 6, lines 28-35, at col. 7, lines 28-31, and in Fig. 3, Serack teaches producing a synchronous clock signal C1.7 by frequency dividing a synchronous clock signal C6.9. Furthermore, at col. 6-7, lines 58-10, and in Fig. 2 (the passage and figure cited by the Examiner), Serack teaches producing a control signal by frequency multiplying a clock signal by

a ratio of 208/193, where this control signal is supplied via a line 58 to the virtual buffer and pointer generator 28.

In light of the foregoing, the Applicant respectfully submits that Serack does not disclose, teach nor suggest generating a second clock signal by applying a frequency multiplication to the first clock signal, let alone multiplying a frequency of the first data clock signal by a value indicated by a control signal received by the clock generator.

Accordingly, at least one limitation of claims 1 and 16 is neither taught nor suggested by the combination of Wang and Serack, and the Applicant respectfully submits that at least one criterion required for establishing a *prima facie* case of obviousness in accordance with MPEP 706.02(j) has not been satisfied<sup>1</sup>. The Examiner is thus respectfully requested to withdraw the rejection of claims 1 and 16, which are believed to be in full condition for allowance.

Claims 2-7, which depend either directly or indirectly from base claim 1 and therefore include all of the limitations of amended claim 1, are also believed to be novel, non-obvious and in condition for allowance.

The Examiner's attention is directed towards the following limitations of independent claim 10 as amended [emphasis added]:

Claim 10

A method for transmitting an electrical digital signal of arbitrary transmission rate over a network characterized by a range of allowable transmission rates, comprising:  
[...]

- f) **generating a second data clock signal by multiplying a frequency of the first data clock signal by a value indicated by a control signal, whereby the second data clock signal is indicative of a line transmission rate that falls within the range of allowable transmission rates for the**

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<sup>1</sup> For the Examiner to establish a *prima facie* case of obviousness, three criteria must be considered: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings, (2) there must be a reasonable expectation of success, and (3) the prior art references must teach or suggest all of the claim limitations. MPEP §§ 706.02(j), 2142 (8th ed.).

**network;**

b)  
[...]

For the same reasons set forth above with respect to independent claims 1 and 16, the Applicant respectfully submits that the subject matter of amended claim 10 is neither anticipated nor rendered obvious by the cited prior art references. As such, claim 10 as amended is also believed to be in condition for allowance.

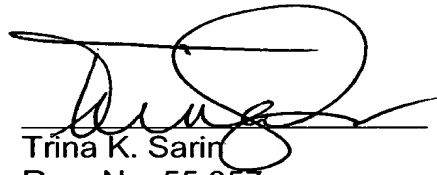
Claims 11-15, which depend either directly or indirectly from base claim 10 and therefore include all of the limitations of amended claim 10, are also believed to be novel, non-obvious and in condition for allowance.

### **CONCLUSION**

In view of the above, it is submitted that claims 1-7 and 10-16 are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance of claims 1-7 and 10-16 at an early date is solicited.

If the claims of the application are not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims or in making constructive suggestions so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,  
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